

STATE OF UTAH  
DIVISION OF WATER QUALITY  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SALT LAKE CITY, UTAH

FACT SHEET/STATEMENT OF BASIS

UTAH SANITARY SEWER MANAGEMENT PROGRAM GENERAL PERMIT  
Permit Number UTG580000

Utah Division of Water Quality (DWQ), Sewer System General Permit (SSGP) for operation of a *public sanitary sewer* collection system in the State of Utah

**INTRODUCTION AND BACKGROUND**

Title 19-5-104 of the Utah Code gave the Water Quality Board (Board) the power and duty to:

“... develop programs for the prevention, control, and abatement of new or existing pollution of the waters of the state..”

“...order the director to issue, modify, or revoke orders:

(i) prohibiting or abating discharges;

(iv) requiring compliance with this chapter and with rules made under this chapter;

...advise, consult, and cooperate with other agencies of the state, the federal government, other states, or interstate agencies, or with affected groups, political subdivisions, or industries to further the purposes of this chapter; or...”

The Board has determined that the State will benefit from the development of a sanitary sewer collection system management program. Such a program will reduce sanitary sewer overflows (SSO) by giving added emphasis to the collection system maintenance, collection system analysis and program documentation.

Section 105 of the same Title limits the Board’s rule making authority when administrating a program under the federal Clean Water Act to be no more stringent than the corresponding federal regulation. Since there are no federal regulations dealing with collection system management, the Board has determined that this section is needed to protect the public health and the environment of the State.

Section 106 of that same Title indicates: “The director shall:

...develop programs for the prevention, control, and abatement of new or existing pollution of the waters of the state;

...advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, and with affected groups, political subdivisions, and industries in furtherance of the purposes of this chapter;”...

...subject to the provisions of this chapter, enforce rules made by the board through the issuance of orders, which orders may include:

(i) prohibiting or abating discharges of wastes into the waters of the state;...”

The Water Quality Board, recognizing the complexity of water quality management and the necessity to temper regulatory actions with the realities of technology and uncertainty, must act to protect the public from health hazards. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the State. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires collection system operators to ensure a system-wide operation, maintenance, and management plan is in place that will minimize the number and frequency of SSOs within the state. This approach will, in turn, decrease the risk to human health and the environment caused by SSOs.

Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor-caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

Consistent with the statutory requirement to develop programs which prevent control or abate pollution from reaching the waters of the state, the Utah Sanitary Sewer Management Program (USMP) is established.

All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of Utah are required to comply with the terms of this program. Such entities are hereinafter referred to as "collection operators".

Other issues taken into consideration by the Board relative to the establishment of this sanitary sewer system management Program are:

Establishment of this Program is needed to provide uniform guidance to all collection operators. EPA has required the Division of Water Quality to inspect collection systems. Establishment of a detailed standard will allow all collection system operators a detailed understanding of inspection expectation.

Should national standards be developed which address any part of this program, this Program is automatically amended to comply with those national requirements.

These standards should be considered the minimum level all facilities should comply with. Collection operators may, at their option, establish more stringent requirements as their specific circumstances dictate.

#### **APPROPRIATENESS OF THE GENERAL PERMIT**

*Utah Administrative Code (UAC) R317-8-2.5* authorizes the issuance of General Permits for categories of point sources within the same geographical area with discharges that are from similar types of operations and wastes, and that require similar effluent limitations and monitoring. In addition, *Utah Administrative Code (UAC) R317-801* will specifically address the requirements of this program. The purpose of this permit is to maintain water quality standards for waters of the State which may be affected by the operation of sanitary sewer collection systems. This permit is intended for collection system operators who own and/or operate public sanitary sewer collection systems.

### **WHO MUST OBTAIN COVERAGE UNDER THE SEWER SYSTEM GENERAL PERMIT (SSGP)**

All owners or operators of public sanitary sewer collection systems must obtain coverage under this general permit. This permit does not apply to the owners/operators of private sanitary sewer collection systems or to any storm water collection systems.

### **WHEN TO SUBMIT A Notice of Intent (NOI)**

All operators will automatically be covered under the Sewer System General Permit (SSGP) for the first five-year permit term of October 1, 2012 to September 30, 2016 if they submit a NOI on or before September 30, 2012. To obtain SSGP coverage for the second and all succeeding SSGP five-year terms, all operators must submit a NOI on or before the expiration date (September 30) in the last year of each of the SSGP five-year terms.

### **OTHER PERMIT CONDITIONS**

This permit does not cover or satisfy the requirements for other programs which may require the permitting of these same, or affiliated facilities, like the UPDES surface water discharge individual or general permits, Construction Storm water or Industrial Storm water Permits.

### **THE NOTICE OF INTENT (APPLICATION FORM)**

The application process for a general permit is less burdensome than for an individual UPDES permit. *Utah Administrative Code R317-8-2.5(2)(b)1* and *R317-8-3* allows streamlining of the application process for general permits by using Notices of Intent (NOIs) for applications. NOIs require minimal information, no previous water quality monitoring data and can be filled out and submitted in a short period of time. The information required should be readily available to the prospective permittee.

A blank copy of the NOI to obtain coverage under the SSGP may be found as an appendix to this document or it may be obtained online at [www.waterquality.utah.gov](http://www.waterquality.utah.gov). Because an original signature is needed on the submitted form, the copy must be filled out, signed and mailed or delivered to:

Mailing Address:

Department of Environmental Quality  
Division of Water Quality  
PO Box 144870  
Salt Lake City, Utah 84114-4870

Physical Address:

Department of Environmental Quality  
Division of Water Quality  
195 North 1950 West  
Salt Lake City, Utah 84116

**Attn: Utah Sanitary Sewer Management Program Coordinator**

### **THE SEWER SYSTEM GENERAL PERMIT (SSGP)**

The requirements of the SSGP are as generally outlined below:

General Permit Provisions

1. Prohibitions
  - a. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the State is prohibited.
  - b. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a health hazard, nuisance, or is a threat to the environment is prohibited.
  
2. General SSO Requirements
  - a. The permittee shall take all feasible steps to eliminate SSOs to include:
    - 1) properly managing, operating, and maintaining all parts of the sewer collection system;
    - 2) training system operators;
    - 3) allocating adequate resources for the operation, maintenance, and repair of its sewer collection system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures in accordance with generally acceptable accounting practices; and,
    - 4) providing adequate capacity to convey base flows and peak flows, including flows related to normal wet weather events. Capacity shall meet or exceed the design criteria of R317-3.
  - b. When a SSO occurs, the permittee shall take all feasible steps to:
    - 1) control, contain, or limit the volume of untreated or partially treated wastewater discharged;
    - 2) terminate the discharge;
    - 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water; and,
    - 4) mitigate the impacts of the SSO.
  
3. General Permit SSO Reporting Requirements
  - a. SSO Reporting - SSOs shall be reported as follows:
    - 1) A Class 1 SSO shall be reported orally within 24 hrs and with a written report submitted to the DWQ within five calendar days as detailed below. Class 1 SSO's shall be included in the annual USMP report.
    - 2) Class 2 SSOs shall be reported on an annual basis in the USMP annual report.
  
4. Annual Report.
  - a. A permittee shall submit to DWQ a USMP annual operating report covering information for the previous calendar year by April 15 of the following year.

Sewer System Management Plan (SSMP) Requirements

1. SSMP. The permittee shall have and implement a written SSMP and shall make it available to DWQ upon request. A copy of the SSMP shall be publicly available at the permittee's office and/or available on the Internet. The SSMP must be publicly noticed by the permittee and approved by the permittee's governing body at a public meeting. The

main purpose of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sewer collection system to reduce and prevent SSOs, as well as minimize impacts of any SSOs that occur.

2. Contents of SSMP. The SSMP shall include:
  - a. Organization information,
  - b. Sewer collection system use ordinances, service agreements, or other legally binding methods for the program,
  - c. An Operations and Maintenance Plan,
  - d. Design and Performance provisions,
  - e. A Sewer Overflow Response Plan to protect public health and the environment,
  - f. For permittees with 2000 or more connections, and at the option of permittees with less than 2000 connections, a Fats, Oils and Grease (FOG) control plan consistent with the potential for FOG discharge from commercial and industrial dischargers,
  - g. For permittees with 2000 or more connections, and at the option of permittees with less than 2000 connections, a Sewer Evaluation and Capacity Assurance Plan (SECAP).

Certification, Submission and Implementation Requirements.

1. Timeline for Notice, SSMP, and Certification. The permittee shall certify to DWQ that a SSMP is in place that is in compliance with the USMP by submitting a notice to DWQ within the time frames identified in the following time schedule:

Table 1. Timeframe for Implementation.

Task	Completion Dates by Population			
	>50,000 population	15,001 to 50,000 population	3,501 to 15,000 population	3,500 and Less population
Notice of Intent to be covered by General Permit	2 weeks after submission of NOI to DWQ			
Completion of SSMP (excluding SECAP)	Sept 30, 2014	Mar 31, 2015	Sept 30, 2015	Mar 31, 2016
Completion of SECAP when required	Sept 30, 2015	Mar 31, 2016	Sept 30, 2016	Sept 30, 2017

### Adverse Incident or Non-Compliance Documentation and Reporting

1. **Twenty-Four (24) Hour Adverse Incident on Non-Compliance Notification**  
If you observe or are otherwise made aware of an adverse incident, that may have resulted from a discharge from your collection system, you must immediately notify the DWQ Incident Reporting line at (801) 536-4300, or 24-hour answering service (801) 536-4123. This notification must be made by telephone within 24 hours of you becoming aware of the adverse incident.
2. If you are unable to notify DWQ within 24 hours, you must do so as soon as possible and also provide your rationale for why you were unable to provide such notification within 24 hours.
3. Reporting of adverse incidents is not required under this permit in the following situations:
  - a. You are aware of facts that clearly establish that the adverse incident was not related to any administrative function or operation of your sewer collection system.
  - b. You have been notified in writing by DWQ that the reporting requirement has been waived for this incident or category of incidents.
  - c. You receive information notifying you of an adverse incident but that information is clearly erroneous.
4. **Five (5) Day Adverse Incident or Non-Compliance Written Report.** Within five (5) days of a reportable adverse incident pursuant to Part III.G.1, you must provide a written report of the adverse incident to the DWQ.

### SSGP Annual Reporting Requirements

The SSGP does require permittees to submit an annual report summarizing your collection system activities, changes, improvements and all leaks, spills, fish kills or other “adverse incidents” or any other violation of the Utah Clean Water Act, even if they were earlier reported under the 24-hour verbal, and 5 day written report requirements.

### **PERMIT DURATION**

It is the intention to issue the PGP for the duration of five years.

Drafted by  
John Kennington P.E.  
Utah Division of Water Quality  
July 26, 2012

### **PUBLIC NOTICE**

Began: **XXXXXX XX**, 2012

Ended: **XXXXXX XX**, 2012

Public Noticed in The Salt Lake Tribune and Deseret News

Comments:

Signed this XX<sup>th</sup> day of August, 2012.

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John Kennington, Engineering Manager



**Certification:**

**I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that the applicant has sufficient title, right or interest in the property where the proposed activity occurs.**

**Signature:**

**Date:**

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**Printed Signatory Name: (Person Responsible for, or Supervising operation of the subject Collection System)**

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**Title:**

\_\_\_\_\_

**Email Address:**

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**This space for office use only:**